IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

CWP No.17789 of 2006
Date of Decision: 10.11.2006

Surinder Kumar

Petitioner

versus

State of Punjab and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE PRITAM PAL

Present: Shri Ashok Bhardwaj, Advocate for the petitioner

Jasbir Singh, J. (Oral)

Notice of motion.

At the asking of the Court, Shri Rajeshwar Singh, Advocate accepts notice on behalf of the Municipal Corporation – respondent No.2

Counsel for the parties heard.

Counsel for the petitioner states that appeal of the petitioner has primarily been dismissed on the ground that before filing the same, the petitioner has not deposited the amount of house tax due. By referring to documents Annexure P/6 and P/7, counsel states that the petitioner had deposited an amount of Rs.50,000/- with the Corporation. This fact was not noticed and appeal was dismissed. Counsel further submits that the petitioner undertakes to deposit entire amount due, towards house tax assessed with the Corporation, within a month from today. If the petitioner does so, this writ petition shall be deemed to have been allowed and the order passed by the appellate authority shall be deemed to have been set aside. After making the deposit, as referred to above, the petitioner shall move an application before the appellate authority, which shall hear the

appeal afresh, on merits and dispose of the same by passing a speaking order. If the petitioner succeeds in appeal, excess amount, if any, deposited by him, shall be adjusted in his future bills.

Disposed of.

(Jasbir Singh)
Judge

November 10, 2006 **(Pritam Pal)**
gk **Judge**